

Notice of Allowability

Application No.

10/693,600

Examiner

Iraj A Mohandesi

Applicant(s)

HARTMAN ET AL.

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/29/2004.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 23 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 07/29/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of 07/29/2004 in the reply filed on 06/24/2004 is acknowledged. This is not found persuasive because .
2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claim 1-23, drawn to a power source , classified in class 290, subclass 1C.
 - II. Claims 24-34, drawn to control the torque electronically , classified in class 290, subclass 25.
 - III. Claims 35-47, drawn to control system for electrical energy transiting signal to crank assembly, classified in class 290, subclass 38c.
 - IV. Claims 57,58, drawn to a first and second power source, classified in class 290, subclass 32
3. Inventions I,II,III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I and II and III have separate utility. See MPEP § 806.05(d).
4. Because these inventions are distinct for the reasons given above and the search required for Group I,II, is not required for Group III,IV restriction for examination purposes as indicated is proper.
5. The requirement is still deemed proper and is therefore made FINAL.
6. Claim 1 has been amended.

EXAMINER'S AMENDMENT

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's Representative Mr. Seven G. Roeder on August 20, 2004.

8. Cancel claims 24-57.

Allowable Subject Matter

9. The following is an examiner's statement of reasons for allowance:

The prior art of the record does not teach or suggest a supporting structure for a power source comprising; a stator component secured to the housing including inter alia a crank assembly including a first crank output that is rotated by the user and a second crank output that is rotated by the user and a first one-way drive mechanism that couples the crank assembly, the first crank output to the rotor component and a second one-way mechanism that couples the second crank output to the rotor component, the first one-way drive mechanism inhibiting rotation of the first crank output relative to the rotor input when the first crank output is rotated in a first rotational direction and allows for rotation of the first crank output relative to the rotor input when the first crank output is rotated in a second rotational direction that is opposite from the first rotational direction, the second one-way drive mechanism inhibiting rotation of the second crank

output relative to the rotor input when the second crank output is rotated in one rotational direction and allows for rotation of the second crank output relative to the rotor input when the second crank output is rotated in the

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandesi whose telephone number is 571-272-2028. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IM August 19, 2004



Nicholas Ponomarenko
Primary Examiner
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